

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

VOIP-PAL.COM, INC.

Plaintiff,

v.

APPLE, INC.,

Defendant.

CIVIL ACTION NO. 6:21-cv-670-ADA

**CASE READINESS STATUS REPORT**

Plaintiff VoIP-Pal.com, Inc. (“VoIP-Pal”) and Defendant Apple Inc. (“Apple”) provide the following status report in advance of the initial Case Management Conference (CMC).

**FILING AND EXTENSIONS**

VoIP-Pal’s Complaint was filed on June 25, 2021. There has been one extension for a total of eight (8) days.

**RESPONSE TO THE COMPLAINT**

On September 7, 2021, Apple responded to VoIP-Pal’s Complaint by filing an Answer. Dkt. 21. Apple did not assert any counterclaims against VoIP-Pal.

**PENDING MOTIONS**

There are no pending motions in this case at this time.

**RELATED CASES IN THIS JUDICIAL DISTRICT**

The following related cases are pending in this Judicial District:

- *VoIP-Pal.com, Inc. v. Facebook, Inc. et al*, No. 21-cv-665-ADA;

- *VoIP-Pal.com, Inc. v. Google, LLC*, No. 21-cv-667-ADA;
- *VoIP-Pal.com, Inc. v. Amazon.com, Inc.*, No. 21-cv-668-ADA;
- *VoIP-Pal.com, Inc. v. AT&T Corp. et al.*, No. 21-cv-671-ADA
- *VoIP-Pal.com, Inc. v. Verizon Communications, Inc. et al.*, No. 21-cv-672-ADA
- *VoIP-Pal.com, Inc. v. T-Mobile USA, Inc. et al.*, No. 21-cv-674-ADA

Apple also notes that the following cases, involving the same patents-in-suit, are currently pending in the Northern District of California:

- *AT&T Corp. et al. v. VoIP-Pal.com, Inc.*, Case No. 3:21-cv-05078-JD
- *Apple Inc. v. VoIP-Pal.com, Inc.*, Case No. 3:21-cv-05110-JD
- *Cellco Partnership dba Verizon Wireless, et al. v. VoIP-Pal.com, Inc.*, Case No. 5:21-cv-05275-JD

VoIP-Pal has filed a motion to dismiss these actions under the first-to-file rule, for lack of personal jurisdiction, and for improper venue.

### **IPR, CBM, AND OTHER PGR FILINGS**

There are no known *inter partes* review (IPR), covered business method review (CBM), or other post grant review (PGR) filings concerning the patents-in-suit at this time.

### **NUMBER OF ASSERTED PATENTS AND CLAIMS**

In its Complaint, VoIP-Pal asserts two (2) patents and a total of two (2) patent claims. VoIP-Pal reserves the right to assert additional or different patent claims in its Preliminary Infringement Contentions.

**APPOINTMENT OF TECHNICAL ADVISOR**

VoIP-Pal does not believe a technical advisor will be necessary for this case. Apple does not currently believe that a technical advisor is necessary for this case, but Apple would not oppose the appointment of a technical advisor if the Court believes that an advisor would be helpful.

**MEET AND CONFER STATUS**

The parties met and conferred on September 14, 2021.

Apple intends to file a motion to transfer this case to the Northern District of California. Apple additionally intends to file a motion to stay pending resolution of Apple's motion to transfer and resolution of VoIP-Pal's jurisdictional motions to dismiss in the Northern District of California cases identified above.

Dated: September 14, 2021

Respectfully submitted,

/s/Lewis E. Hudnell, III

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**ATTORNEYS FOR DEFENDANT  
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### **CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the forgoing CASE READINESS STATUS REPORT via the Court's CM/ECF system pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5(b)(1) this 14th day of September, 2021.

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